

*Honorable Ricardo S. Martinez*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

## TROY COACHMAN,

No. 2:17-cv-00187-RSM

Plaintiff,

**DECLARATION OF  
IAN CAIRNS SUPPORTING  
DEFENDANTS' STIPULATED  
MOTION FOR APPROVAL OF  
SURETY BOND**

**SEATTLE AUTO MANAGEMENT, INC.  
DBA MERCEDES BENZ OF SEATTLE  
AND AL MONJAZEB,**

**NOTE ON MOTION CALENDAR:**  
**January 17, 2019**

I, IAN CAIRNS, hereby declare as follows:

1. Attached as Exhibit A is a copy of the surety bond issued by U.S. Specialty Insurance Company in the amount of \$5,185,471.29.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

DATED this 17<sup>th</sup> day of January, 2019.

By: /s/ Ian Cairns

JAN CAIRNS, WSBA No. 43210

**DECLARATION OF IAN CAIRNS SUPPORTING DEFENDANTS' STIPULATED MOTION FOR APPROVAL OF SURETY BOND - 1**  
No. 2:17-cv-00187-RSM

SMITH GOODFRIEND, P.S.  
1619 8<sup>TH</sup> AVENUE NORTH  
SEATTLE, WASHINGTON 98109  
(206) 624-0974 FAX (206) 624-0809

1 CERTIFICATE OF SERVICE

2 I hereby certify that on the below date, I electronically filed the foregoing with  
3 the Clerk of the Court for the United States District Court, Western District of  
4 Washington using the CM/ECF system which will send notification of such filing to  
5 all counsel of record.

6 **DATED** at Seattle, Washington this 17<sup>th</sup> day of January, 2019.

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8 */s/Andrienne E. Pilapil*

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U.S. Specialty Insurance Company

Address for Service: 801 South Figueroa Street, Suite 700, Los Angeles, CA 90017

Bond No. 1001075780  
Premium: \$51,855.00 annually

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

TROY COACHMAN, )  
                        )  
Plaintiff/Appellee, )      Case No. 2:17-cv-00187-RSM  
V.                     )  
                        )  
SEATTLE AUTO MANAGEMENT, INC. DBA)      )  
MERCEDES BENZ OF SEATLLE AND AL    )  
MONJAZEB,             )  
                        )  
Defendants/Appellants         )

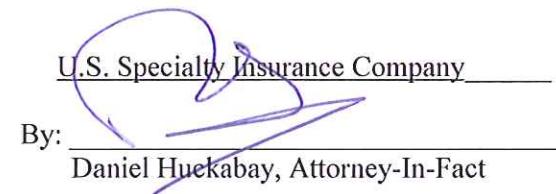
WHEREAS, the above defendants desires to give an undertaking for Appeal provided by Federal Rule of Civil Procedure 62(b).

NOW, THEREFORE, U.S. Specialty Insurance Company, a corporation duly incorporated under the laws of Texas and authorized to do business in the State of Washington, as surety, does hereby obligate itself to the above plaintiff under said statutory obligations, in the sum of Five Million One Hundred Eighty Five Thousand Four Hundred Seventy One and 29/100 Dollars (\$5,185,471.29).

The condition to the obligation of surety is the failure of the appellants, after the appellate court mandate issues, to satisfy the judgment in full as it may be modified on review, together with interest, fees and costs.

In no event shall the Surety's liability under this bond exceed the penal sum of Five Million One Hundred Eighty Five Thousand Four Hundred Seventy One and 29/100 Dollars (\$5,185,471.29).

Signed and Sealed this 16th day of January, 2019.

  
By: \_\_\_\_\_  
Daniel Huckabee, Attorney-In-Fact

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Orange)

On January 16th, 2019 before me, Rudy Urieta, Notary Public  
(insert name and title of the officer)

personally appeared Daniel Huckabay,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

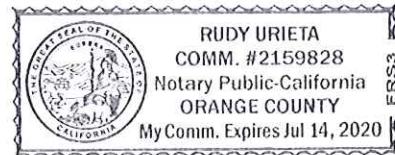
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

  
Rudy Urieta

(Seal)



**POWER OF ATTORNEY**  
**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY**  
**UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

**Daniel Huckabee, Arturo Ayala, Dwight Reilly, Shaunna Rozelle Ostrom  
Michael Castaneda or Frank Morones of Orange, California**

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\* Twenty Million \*\*\*\*\* Dollars (\$ \*20,000,000.00\*).

This Power of Attorney shall expire without further action on November 3, 2019. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1st day of November, 2016.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

Corporate Seals



By:

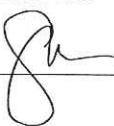
  
Daniel P. Aguilar, Vice President

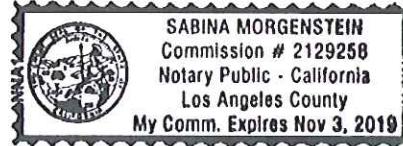
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles SS:

On this 1st day of November, 2016, before me, Sabina Morgenstern, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.  
WITNESS my hand and official seal.

Signature  (Seal)

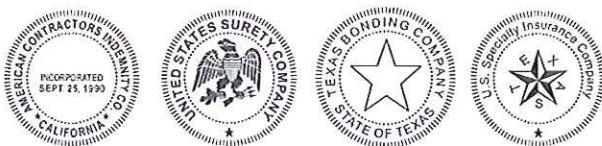


I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 16th day of January, 2019.

Corporate Seals

Bond No. 1001075780  
Agency No. 8472



  
Kio Lo, Assistant Secretary